

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

SAMUEL L. EDWARDS, : Case No. 2:22-cv-3488  
Plaintiff, :  
vs. : District Judge Michael H. Watson  
: Magistrate Judge Caroline H. Gentry  
SHERIFF DALLAS BALDWIN, et al., :  
Defendants. :  
:

**ORDER GRANTING PRISONER *IN FORMA  
PAUPERIS* STATUS AND ORDERING THE  
COLLECTION OF THE FULL FILING FEE**

This action is before the Court on plaintiff's application to proceed *in forma pauperis* (Doc. 1) and motion for an extension of time (Doc. 4). For the reasons that follow, plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 1) is **GRANTED**. Plaintiff's motion seeking an extension of time (Doc. 4) is **DENIED as moot**.

On October 7, 2022, the Court issued a Deficiency Order requiring plaintiff to provide a certified copy of his prison trust fund account statement within thirty (30) days. (Doc. 3). Plaintiff complied with the Court's Order on November 3, 2022. (See Doc. 5). Accordingly, plaintiff's motion seeking an extension of time to comply with the Deficiency Order (Doc. 4) is **DENIED as moot.**

In accordance with section 804(a)(3) of the Prison Litigation Reform Act of 1995, 28 U.S.C. § 1915(b)(1), plaintiff must pay an initial partial filing fee of 20 percent of the greater of the average monthly deposits to his prison account or the average monthly balance in his account for the six month period immediately preceding the filing of the complaint. After payment of the

initial partial filing fee, plaintiff is further required to make monthly payments of 20 percent of the preceding month's income credited to his prison account until he pays the full amount of the filing fee. 28 U.S.C. § 1915(b)(2).

Plaintiff's application and trust fund account statement reveal that he has insufficient funds in his prison account to pay the full filing fee.

After consideration by this Court of the plaintiff's affidavit of indigence only, without regard to the merits of this case, plaintiff's motion to proceed *in forma pauperis* (Doc. 3) is hereby **GRANTED** pursuant to 28 U.S.C. § 1915(a).

Pursuant to 28 U.S.C. § 1915(b)(1), the custodian of plaintiff's inmate trust fund account at the institution where he now resides is directed to calculate, as an initial partial payment, twenty percent (20%) of the greater of:

(a) the average monthly deposits to the inmate trust account; or

(b) the average monthly balance in the inmate trust account, for the six (6) months immediately preceding September 23, 2022. The custodian is **ORDERED** to complete and to submit to the Clerk of Court in Columbus, Ohio the attached form showing his calculation of the initial partial filing fee. The custodian is further **ORDERED** to forward from plaintiff's prison account to the Clerk of Court located in Columbus, Ohio the initial partial filing fee, as funds become available in plaintiff's account until the initial filing fee is paid. Even if the account is under ten dollars (\$10.00), the custodian must still forward payments to the Clerk of Court to pay the initial filing fee.

After full payment of the initial partial filing fee, the custodian shall forward to the Clerk of Court located in Columbus, Ohio monthly payments of twenty percent (20%) of plaintiff's

preceding monthly income credited to his prison account, but only when the amount in the account exceeds ten dollars (\$10.00), until the full fee of three hundred and fifty dollars (\$350.00) has been paid to the Clerk of the Court. 28 U.S.C. § 1915(b)(2).

The Clerk of Court is **DIRECTED** to send a copy of this Order to the institutional cashier.

***The prisoner's name and case number must be noted on each remittance.***

Checks are to be made payable to: **Clerk, U.S. District Court.**

Checks are to be sent to:

**Prisoner Accounts Receivable  
260 U.S. Courthouse  
85 Marconi Boulevard  
Columbus, Ohio 43215**

**IT IS SO ORDERED.**

February 8, 2023

/s/ Caroline H. Gentry  
CAROLINE H. GENTRY  
United States Magistrate Judge

**CALCULATION OF INITIAL PARTIAL FILING FEE**

Prisoner's name\_\_\_\_\_

Case no.

Average Monthly Balance \$

(For six month period preceding filing of complaint or notice of appeal)

Average Monthly Deposits \$

(For six month period preceding filing of complaint or notice of appeal)

Initial Partial Filing Fee \$

(the greater of the average monthly deposits or the average monthly balance x .20)

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Date

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Signature of Authorized Officer